

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

EMG TECHNOLOGY, LLC,

Plaintiff,

v.

APPLE INC.,
AMERICAN AIRLINES, INC.,
DELL, INC.,
HYATT CORPORATION,
MARRIOTT INTERNATIONAL, INC., &
BARNES & NOBLE, INC.,

Defendants.

CASE NO. 6:08-cv-447 (LED)

JURY TRIAL DEMANDED

**DEFENDANT APPLE INC.'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE ITS REPLY TO EMG'S OPPOSITION TO MOTION TO VACATE THE
DEADLINES IN THE DOCKET CONTROL AND DISCOVERY ORDERS
AND FOR A CASE MANAGEMENT CONFERENCE**

COMES NOW Defendant, Apple Inc. ("Apple"), and files this Unopposed Motion for Extension of Time to File its Reply to EMG's Opposition to Motion to Vacate the Deadlines in the Docket Control and Discovery Orders and for a Case Management Conference. The current deadline to file the reply brief is January 14, 2010. Apple's counsel and plaintiff's counsel have discussed the issues raised in Apple's Motion and plaintiff's Opposition, and determined that it is in both parties' interest to extend the time for Apple to file its reply brief by one day. Apple requests an extension to file its reply brief to January 15, 2010. Plaintiff is not opposed to the requests in this motion.

Dated: January 14, 2010

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ John R. Lane

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 14th day of January, 2010.

/s/ Jason Bonilla
Jason Bonilla